

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JONATHAN MANZI,

Defendant.

4:19CR3094

ORDER

During the conference held today, (Filing No. 17, audio file), defense counsel stated that Defendant and his counsel need additional time to fully review the discovery received before filing pretrial motions or going to trial. The defense requests 30 days to file any pretrial motions, further explaining that Defendant will not be ready for trial prior to March 9, 2020.¹ The government also needs until March 2020 to be ready for trial, and it does not oppose Defendant's proposed dates. Based on representations of counsel, the court finds Defendant's oral motion should be granted. Accordingly,

IT IS ORDERED:

- 1) Pretrial motions and briefs shall be filed on or before December 6, 2019.
- 2) Trial of this case is set to commence before the Honorable John M. Gerrard, Chief United States District Judge, in Courtroom 1, United States Courthouse, Lincoln, Nebraska, at **9:00 a.m.** on **March 30, 2020**, or as soon thereafter as the case may be called, for a duration of five (5) trial days. Jury selection will be held at commencement of trial.
- 3) The ends of justice served by granting the motion to continue outweigh the interests of the public and the defendant in a speedy

¹ Upon review of Judge Gerrard's calendar, a March 9, 2020 trial date is not available. The trial is therefore set for the first available 5-day trial week after March 9, 2020.

trial, and the additional time arising as a result of the granting of the motion, the time between today's date and March 30, 2020 shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, because although counsel have been duly diligent, additional time is needed to adequately prepare this case for trial and failing to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(1) & (h)(7). Failing to timely object to this order as provided under this court's local rules will be deemed a waiver of any right to later claim the time should not have been excluded under the Speedy Trial Act.

Dated this 6th day of November, 2019.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge